



CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON JANUARY 23, 2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tao et al. Date: January 23, 2001
Serial No.: 09/496,444 Group Art Unit: 1638
Filed: February 2, 2000 Examiner: C. Collins
For: "Cell Cycle Polynucleotides, Polypeptides and Uses Thereof"

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

This response is responsive to the Office Action mailed January 4, 2001.

Applicant elects with traverse the claims of Group 1 drawn to isolated polynucleotides.

Under MPEP 803 the Examiner is requested to examine claims to independent or distinct inventions if the examination does not place an undue burden on the Examiner. It is submitted that the isolated nucleic acids and the methods of use are sufficiently closely related so as to be examined in one application.

Claim 1 broadly covers all polynucleotides that meet the sequence requirements set out. This includes sense and antisense sequences. BLASTN, TBLASTX, Search, FASTA, FASTX, and likely others automatically search sense and antisense sequences, so that searching one would produce the other. Therefore, Groups I and II are sufficiently closely related to be combined.

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Claims 26 and 54 in group IV are a subset of the broad claim 23 which claims a method for modulating the level of cyclin E protein.

It is therefore submitted that groups I, II, and IV are sufficiently closely related to be combined without undue burden.

Respectfully submitted, -

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